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09/583,346	05/31/2000	Rabindranath Dutta	AUS920000192US1	2382

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EXAMINER
AMINI, JAVID A

ART UNIT	PAPER NUMBER
2678	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)
Office Action Summary	09/583,346	DUTTA, RABINDRANATH
	Examiner	Art Unit	AIA (First Inventor to File) Status
	JAVID A. AMINI	2678	No

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>3 April 2013</u>.
    ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on
    _____; the restriction requirement and election have been incorporated into this action.

4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

5) ☒ Claim(s) <u>2-8,11,12,14-17,20,21,23-26 and 28-35</u> is/are pending in the application.
    5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6) ☐ Claim(s) _____ is/are allowed.

7) ☒ Claim(s) <u>2-8,11,12,14-17,20,21,23-26,28-35</u> is/are rejected.

8) ☐ Claim(s) _____ is/are objected to.

9) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

* If any claims have been determined <u>allowable</u>, you may be eligible to benefit from the **Patent Prosecution Highway** program at a
participating intellectual property office for the corresponding application. For more information, please see
http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

10) ☐ The specification is objected to by the Examiner.

11) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

a) ☐ All   b) ☐ Some *   c) ☐ None of the:

    1. ☐ Certified copies of the priority documents have been received.

    2. ☐ Certified copies of the priority documents have been received in Application No. _____.

    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Interim copies:

a) ☐ All   b) ☐ Some   c) ☐ None of the: Interim copies of the priority documents have been received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

3) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

4) ☐ Other: _____.

Response to Arguments

Applicant's arguments filed 4/3/2013 have been fully considered but they are not persuasive.

In view of Applicant's arguments regarding 35 U.S.C. 112 first paragraph pages 8-12 the current claimed invention analyzing the data page that contains text, other words a web page that contains text. Therefore the claims rejection under 35 U.S.C. 112 first paragraph has been withdrawn.

Examiner's notes from 2103(c) MPEP section that discloses the claims define the property rights provided by a patent, and thus require careful scrutiny. The goal of claim analysis is to identify the boundaries of the protection sought by the applicant and to understand how the claims relate to and define what the applicant has indicated is the invention. Examiner must first determine the scope of a claim by thoroughly analyzing the language of the claim before determining if the claim complies with each statutory requirement for patentability. See In re Hiniker Co., 150 F.3d 1362, 1369, 47 USPQ2d 1523, 1529 (Fed. Cir. 1998) ("[**T**]**he name of the game is the claim.**").

The current invention involves providing to a user to read the display in either direction, see second paragraph on page 2 of the specification filed on 5/31/2000.

Independent claims 28-30 and 35 are claimed similarly the same features, as follows: "…. the portable device **automatically displaying** the data … in first and second orientations …" for the sake of arguments Examiner concentrates on claim 28 that can be applied to all independent claims 29-30 and 35.

Examiner believes in view of claim 28 analysis the boundaries are too broad, and

Examiner suggests amending claim 28 to assure the patentability. For example: the feature

recited in claim 28 "analyzing the data page", knowing, Applicant admitted at first paragraph of

remarks on page 12 the analyzing the data page is well known in the art then the only feature left

in the claim 28 is the "automatically displaying" what are the boundaries for analyzing in the

claim that triggers a sensor/switch/program/formula to automatically displaying the data page. It

is generally considered improper to read limitations contained in the specification into the

claims.

Examiner replies in response to Applicant arguments, second paragraph on page 21 of the

remarks: The board decision on Appeal page 5 specified "the orientation is manually selected by

the <u>user</u>" that causes automatically varying the scanning axis of the light bean, see Reber at col.

13 lines 4-10. Therefore the Examiner's position is compatible to the findings of the patent trial

and appeal board decision.

The office actions have been contained similar rejections with the same cited prior arts

which have been argued previously on top of it similar arguments made in the decision on

Appeal (i.e. examiner affirmed). The previous rejection is still maintained.

In order to prevent repeated arguments, Examiner encourages Applicant to schedule an

interview and requires a substantial amendment to the claims. Or the Examiner is willing to

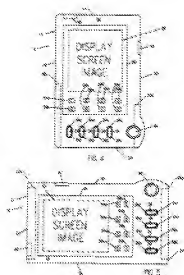provide feedbacks on Applicant's draft substantial amendment to the claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 2-8, 11-12, 14-17, 20-21, 23-26, 28-30, and 35 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Register 5661632, and further in view of Reber et al. 6453173,

hereinafter Reber.

Claim 28.

Register teaches a method for displaying data on a portable device having a display that

is significantly larger in a first dimension than in a second dimension, said method comprising:

see figs. 4-5 i.e. self-explanatory, below:

Register teaches receiving a data page in the portable device #22 from input output #116, 112

and 110 PCMCIA, the data page is the data that displayed on display area; Register teaches the

portable device determining, by analyzing the data page an orientation for presentation of

the data page relative to the first and second dimensions of the display; and the portable device

automatically displaying the data page in a first orientation within the display in response to

determining the first orientation and the portable device automatically displaying the data page in

a different second orientation within the display in response to determining the second

orientation, see figs. 4-5 above, they are self-explanatory (i.e. Examiner believes in view of steps

in the claimed invention (e.g., claim 28) the prior art Register in figs. 4-5 teaches the steps of the

claim, because the display screen image #26 of fig. 4 is displayed in a second orientation (see fig.

5 #52), and this would have been obvious to one of ordinary skill in the art to equate as analyzing

the data page i.e. the display screen image #26 of fig. 4 into #52 of fig. 5), but Register does not

teaches automatically displaying the data page in a first and a second orientations within the

display.

   Reber teaches automatically displaying the data page in first and second orientations

within the display (manually rotating by the user). Reber at col. 13 lines 4-10 discloses the

embodiment described with reference to FIGS. 9 and 10 is advantageous in automatically

varying the scanning axis of the light beam in dependence upon the orientation of the handheld

device. Regardless of whether the handheld device is oriented to display content in a portrait

mode (FIG. 9) or in a landscape mode (FIG. 10), the light beam is scanned horizontally to read

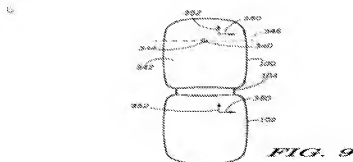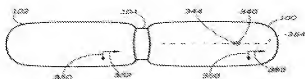horizontally-oriented bar codes, see col. 13 lines 4-10.

FIG. 9

FIG. 10

Thus it would have been obvious to one of ordinary skill in the art to modify the teachings of Reber's light beam into Register's toggle switches in order automatically varying an axis of a scanning light beam in dependence upon an orientation of the handheld device.

Claims 29 and 35 are rejected with similar reasons as set forth in claim 28, above.

Claim 30 is rejected with similar reasons as set forth in claim 28, above. Except the computer program product and a computer-readable storage medium, Register teaches a hard disk #114 in fig. 6; Register teaches instructions embodied within the storage medium that cause the portable data processing device to receive the data page within the portable data processing device, see flow chart of a software of fig. 7, the rest of the features are similar to features of claim 28, see above.

Claim 2.

The method of claim 28, wherein the data page is received over a wireless connection, Register in fig. 4 illustrates a PDA that contains a wireless connection.

Claim 3.

The method of claim 28, wherein the second orientation is a ninety-degree rotation of the first orientation, Register in fig. 4 illustrates a PDA that contains the second orientation a ninety-degree rotation of the first orientation.

Claim 4.

The method of claim 28, wherein the device comprises a display that is significantly larger in a first dimension than in a and second direction dimension are orthogonal to the first dimension, Register in fig. 4 illustrates a PDA.

Claim 5.

The method of claim 28, wherein: the data page is initially displayed by the portable device in one of the first and second orientations; the method further comprises the portable device redisplaying the data page is redisplayed in the other of the first and second orientations in response to a user input, Register in figs. 4-5 illustrates a PDA.

Claim 6.

The method of claim 28, wherein: the data page is initially displayed by the portable device in one of the first and second orientations; the method further comprises the portable device automatically redisplaying the data page is redisplayed in the other of the first and second orientations after a preset duration, it would have been obvious to skilled in the art to recognize that Register and Reber 's handheld devices redisplaying the data page in both orientations and of course there should be a delay period between the two orientations.

Claim 7.

The method of claim 28, wherein in the portable device is a wireless telephone, Register in figs. 4-5 illustrates a PDA.

Claim 8.

The method of claim 28, wherein the portable device is a personal digital assistant, Register in figs. 4-5 illustrates a PDA.

Claim 11.

The portable data processing system of claim 29, wherein the portable data processing system further includes a wireless connection interface; and the data page is received by the portable data processing system over a wireless connection via the wireless connection interface. Register in fig. 4 illustrates a PDA that contains a wireless connection.

Claim 12.

The portable data processing system of claim 29, wherein the second orientation is a ninety-degree rotation of the first orientation, Register in fig. 4 illustrates a PDA that contains the second orientation a ninety-degree rotation of the first orientation.

Claim 14.

The portable data processing system of claim 29, wherein: the portable data processing system initially displays the data page in one of the first and second orientations; and instruction further cause the data processing system to redisplay the data page in the other of the first and second orientations in response to a user input Register in figs. 4-5 illustrates a PDA.

Claim 15.

The portable data processing system of claim 29, wherein: the data page is initially displayed by the portable data processing system in one of the first and second orientations: the instruction

further cause the data processing system to automatically redisplay the data page in the other of

the first and second orientations after a preset duration, it would have been obvious to skilled in

the art to recognize that Register and Reber 's handheld devices redisplaying the data page in

both orientations and of course there should be a delay period between the two orientations.

Claim 16.

The data processing system of claim 29, wherein the portable data processing system is a

wireless telephone, Register in fig. 4 illustrates a PDA that contains a wireless connection.

Claim 17.

The data processing system of claim 29, wherein the portable data processing system is a

personal digital assistant, Register in fig. 4 illustrates a PDA that contains the second orientation

a ninety-degree rotation of the first orientation.

Claim 20.

The computer program product of claim 30, wherein the data page is received over a wireless

connection, Register in fig. 4 illustrates a PDA that contains a wireless connection.

Claim 21.

The computer program product of claim 30, wherein the second orientation is a ninety-degree

rotation of the first orientation Register in fig. 4 illustrates a PDA that contains the second

orientation a ninety-degree rotation of the first orientation.

Claim 23.

The computer program product of claim 30, wherein: the data page is initially displayed by the

portable device in one of the first and second orientations; the computer program product further

includes instructions that cause the portable data processing device to redisplay the data page in

the other of the first and second orientations in response to a user input, the computer program is

illustrated in fig. 7 of Register.

Claim 24.

The computer program product of claim 30, wherein: the data page is initially displayed by the

portable device in one of the first and second orientations; the computer program product further

includes instructions that cause the portable data processing device to automatically redisplay the

data page is redisplayed in the other of the first and second orientations after a preset duration. it

would have been obvious to skilled in the art to recognize that Register and Reber 's handheld

devices redisplaying the data page in both orientations and of course there should be a delay

period between the two orientations.

Claim 25.

The computer program product of claim 30, wherein the portable device is a wireless telephone

Register in fig. 4 illustrates a PDA that contains a wireless connection.

Claim 26.

The computer program product of claim 30, wherein the portable device is a personal digital

assistant Register in fig. 4 illustrates a PDA that contains a wireless connection.

Claims 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Register,

Reber, and further in view of O'Gorman, L. "The document spectrum for page layout

analysis Pattern Analysis and Machine Intelligence, IEEE Transactions on Volume: 15

issue:11 15 , Issue: 11, Publication Year: 1993 , Page(s): 1162 – 1173.

Claim 31.

Register and Reber do not teach the portable device determining a line width of textual

content of the data page.

However, O'Gorman teaches the method of claim 28, wherein said analyzing comprises

the portable device determining a line width of textual content of the data page. O'Gorman

teaches page layout analysis that is a document processing technique used to determine the

format of a page. See page 1162 at first paragraph right column teaches the docstrum method for

page lay-out analysis is described. This is advantageous over many other methods in three main

ways. One is that analysis is independent of page orientation or skew. There is no need to find

the skew and correct it prior to docstrum analysis; however, a precise measure of orientation is a

byproduct of the analysis. The second is that the method does not require a priori input of

character size and line spacing. Instead, these parameters are determined in the course of the

analysis. The third is that this technique can be applied to an image containing subregions of

different document characteristics. For instance, the docstrum can be used to segment

independently oriented smaller documents (receipts, checks, index cards, business cards, etc.) in

a single image, also see figs. 9-11 illustrate determining a line width of textual content of the

data page. Examiner believes the computer output under "introduction" may be referred as a

display area and a computer Laptop contains a display area i.e. also a portable device.

Thus it would have been obvious to one of ordinary skill in the art to modify the

teachings of O'Gorman into Reber's and Register's teachings in order to determine an image

containing subregions of different document characteristics. For instance, the docstrum can be

used to segment independently oriented smaller documents (receipts, checks, index cards,

business cards, etc.) in a single image.

Claims 32-33 are rejected with similar reasons as set forth in claim 31, above.

Claim 34.

O'Gorman teaches the method of Claim 28, wherein the data page is a web page, because it

would have been obvious to one of ordinary skill in the art to recognize fig. 11 can be considered

as a web page.

Claims 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Register,

Reber, and further in view of A Hideaki Goto, Hirotomo Aso "Framework for Detecting

and Selecting Text Line Candidates of Correct Orientation" Publication Year: 1998 ,

Page(s): 1074 - 1076 vol.2. Hereinafter Goto.

Claim 31.

        Register and Reber do not teach the portable device determining a line width of textual

content of the data page.

        However, Goto teaches the method of claim 28, wherein said analyzing comprises the

portable device determining a line width of textual content of the data page. See sections 2.1-2.3

of Goto stages 1-3.

Thus it would have been obvious to one of ordinary skill in the art to modify the

teachings of Goto into Reber's and Register's teachings in order to improve the processing speed

of document analysis system.

Claims 32-33 are rejected with similar reasons as set forth in claim 31, above.

Claim 34.

Goto teaches the method of Claim 28, wherein the data page is a web page, because it would

have been obvious to one of ordinary skill in the art to recognize figs. 1 and 2 can be considered

as a web page.

<div align="center">

Conclusion

</div>

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAVID A. AMINI whose telephone number is (571)272-7654. The examiner can normally be reached on 7-3pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, xiao wu can be reached on 571-272-7761. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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